

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: KIRK A. PALLADINI

Case No. 20-70288

Chapter 13

Doc. # 68

Debtor(s).

X

STIPULATED ORDER MODIFYING PLAN

WHEREAS, this matter is being presented to the Court regarding

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]:

- ☒ a motion to dismiss case or certificate of default requesting dismissal
- ☒ a plan modification sought by: Debtor
- ☐ a motion to lift stay
as to creditor _____
- ☐ Other: _____

WHEREAS, the parties having agreed to settle the matter above conditioned on the terms herein, based on the records of the Court, and the Court being otherwise sufficiently advised in the premises; and there being no adverse impact upon other parties by way of this action, thus no notice is required to be given; now therefore

IT IS HEREBY ORDERED that the

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☒ Chapter 13 Plan dated June 9, 2020_

is modified as follows:

[ONLY PROVISIONS CHECKED BELOW SHALL APPLY]

- ☒ Debtor(s) Plan payments shall be changed from \$ 903 (per prior stipulation to \$1,078.00 per month, effective April 1, 2023 ; and/or the Plan term shall be changed from months to months.

- ☒ In the event that Debtor(s) fail(s) to make any future Chapter 13 Plan payments, the Trustee or a party in interest may file with the Court and serve upon Debtor(s) and Debtor(s)' Counsel a notice of default advising the Debtor(s) that they have 30 days from the service of the notice in which to cure any and all defaults in payments. If Debtor(s) fail(s) to cure the defaults in payments after having been provided notice under the provision of this Stipulated Order, then the Trustee or a party in interest may submit an Order of Dismissal to the Bankruptcy Court along with an affidavit attesting to a failure to make Plan payments, and the proceedings or case may thereafter be dismissed without prejudice and without further hearing or notice.
- ☐ Debtor(s) shall file and serve _____ on or before _____.
- ☐ If any of the foregoing is not completed by the date specified, the case may be dismissed without prejudice without further notice or hearing upon the filing by the Trustee of an Affidavit of Non-Compliance.
- ☐ If any of the foregoing is not completed by the date specified, the automatic stay as to the property described as _____ may be lifted without further notice or hearing upon the filing by the Creditor herein of an Affidavit of Non-Compliance.
- ☒ Other: _____-Wilmington Savings Fund Society CL #4 Governs all NMPC or record, Peoples Gas to be paid as a priority administrative claim per OE 7/3/21 (Doc 45), Trustee's COD filed 3/13/23 (Doc. 64) is resolved.

IT IS FURTHER ORDERED that to the extent any creditor opposes the relief contained herein, such creditor must file an objection to the same within fourteen (14) days hereof. Should such an objection be timely filed, the Court shall conduct a *de novo* hearing regarding the appropriateness of this Stipulated Order. Should no objection be timely filed, this Stipulated Order shall be deemed final without further notice and/or opportunity for a hearing.

IT IS FURTHER ORDERED that in all other respects, the Plan and Order Confirming Plan shall remain in full force and effect. The filing party represents to the Court that all affected parties have been notified.

[Remainder of Page Intentionally Left Blank]

SO ORDERED, this 4th day of April, 2023

A handwritten signature in black ink, appearing to be "jsf", is written over a horizontal line.

United States Bankruptcy Judge
Jeffery A. Deller

Stipulated by:

/s James M. McClure, Esquire
Counsel to Debtor

Stipulated by:

/s James C. Warmbrodt, Esquire
Counsel to Chapter 13 Trustee

Stipulated by:

Counsel to affected creditor

cc: All Parties in Interest to be served by Clerk

In re:
Kirk A. Palladini
Debtor

Case No. 20-70288-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7
Date Rcvd: Apr 04, 2023

User: auto
Form ID: pdf900

Page 1 of 3
Total Noticed: 31

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 06, 2023:

Recip ID	Recipient Name and Address
db	+ Kirk A. Palladini, 521 5th Avenue, Altoona, PA 16602-2610
cr	Wilmington Savings Fund Society, FSB, not in its i, Fay Servicing, LLC, PO Box 814609, Dallas, TX 75381-4609
15561475	+ Attorneys for Fay Servicing, LLC as Servicer, for Wilmington Savings Fund Society, FSB, 1325 Franklin Avenue, Suite 160, Garden City, New York 11530-1631
15251697	+ Fay Servicing LLC, 425 S. Financial Place, Suite 2000, Chicago, IL 60605-1000
15251699	+ Greenwich Revolving Trust, 425 S. Financial Place, Suite 2000, Chicago, IL 60605-1000
15260621	Greenwich Revolving Trust, et. al., P.O. Box 814609, Dallas, TX 75381-4609
15251702	Phelan Hallinan Diamond & Jones, 1617 JFK Boulevard Suite 1400, One Penn Center Plaza, Philadelphia, PA 19103
15251703	+ Ratchford Law Group, P.C., 54 Glenmaura National Blvd., Suite 104, Moosic, PA 18507-2161
15335682	Times Square Revolving Trust, Fay Servicing, LLC, Bankruptcy Department, PO Box 814609, Dallas, TX 75381-4609
15448670	Wilmington Savings Fund Society, Fay Servicing, LLC, PO Box 814609, Dallas, TX 75381-4609
15251705	+ Wilmington Savings Fund Society, Trustee, 425 S. Financial Place, Suite 2000, Chicago, IL 60605-1000

TOTAL: 11

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	^ MEBN	Apr 04 2023 23:32:23	Fay Servicing, LLC as Servicer for Wilmington : Sa, 1325 Franklin Avenue, Suite 160, Garden City, NY 11530-1631
cr	Email/Text: BankruptcyECFMail@mccalla.com	Apr 04 2023 23:35:00	Fay Servicing, LLC, c/o McCalla Raymer Leibert Pierce, LLC, Bankruptcy Department, 1544 Old Alabama Road, Roswell, GA 30076
cr	+ Email/Text: ebnpeoples@grblaw.com	Apr 04 2023 23:35:00	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
15251692	+ Email/Text: BKMailBayview@bayviewloanservicing.com	Apr 04 2023 23:35:00	Bayview Loan Servicing LLC, 4425 Ponce De Leon Boulevard, Miami, FL 33146-1839
15251693	Email/PDF: AIS.cocard.ebn@aisinfo.com	Apr 04 2023 23:45:02	Capital One, Attn: Bankruptcy Dept., P.O. Box 30281, Salt Lake City, UT 84130-0281
15251694	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Apr 04 2023 23:45:12	Capital One Bank USA NA, PO Box 30281, Salt Lake City, UT 84130-0281
15251695	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Apr 04 2023 23:35:00	Comenity Bank-Boscov's, Attn: Bankruptcy Department, PO Box 182125, Columbus, OH 43218-2125
15251696	+ Email/PDF: creditonebknofications@resurgent.com	Apr 04 2023 23:45:03	Credit One Bank, PO Box 98875, Las Vegas, NV 89193-8875
15251698	Email/Text: ECF@fayservicing.com	Apr 04 2023 23:35:00	Fay Servicing, LLC, PO Box 809441, Chicago, IL 60680
15259953	Email/Text: JCAP_BNC_Notices@jcap.com	Apr 04 2023 23:35:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617

District/off: 0315-7

User: auto

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Date Rcvd: Apr 04, 2023

Form ID: pdf900

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15251700	Email/Text: JCAP_BNC_Notices@jcap.com	Apr 04 2023 23:35:00	Jefferson Capital Systems, LLC, 16 McLeland Rd, Saint Cloud, MN 56393
15251701	+ Email/PDF: resurgentbknotifications@resurgent.com	Apr 04 2023 23:45:03	LVNV Funding LLC, c/o Resurgent Capital Service, PO Box 10497 MS 576, Greenville, SC 29603-0497
15252965	Email/PDF: resurgentbknotifications@resurgent.com	Apr 04 2023 23:45:13	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15252759	Email/Text: BankruptcyECFMail@mccalla.com	Apr 04 2023 23:35:00	Fay Servicing, LLC, McCalla Raymer Leibert Pierce, LLC, c/o Bankruptcy Department, 1544 Old Alabama Road, Roswell, GA 30076
15274848	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Apr 04 2023 23:45:03	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15266280	+ Email/Text: ebnpeoples@grblaw.com	Apr 04 2023 23:35:00	Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 North Lincoln Ave., Pittsburgh, PA 15233-1828
15258511	+ Email/Text: bncmail@w-legal.com	Apr 04 2023 23:35:00	TD Bank USA, N.A., C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
15251704	Email/Text: bncmail@w-legal.com	Apr 04 2023 23:35:00	Target Card Services, PO Box 660170, Dallas, TX 75266-0170
15277886	^ MEBN	Apr 04 2023 23:32:26	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
15268459	^ MEBN	Apr 04 2023 23:32:13	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123

TOTAL: 20

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Greenwich Revolving Trust
cr		Times Square Revolving Trust c/o Wilmington Saving

TOTAL: 2 Undeliverable, 0 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 06, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 4, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	

District/off: 0315-7

User: auto

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Date Rcvd: Apr 04, 2023

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on behalf of Creditor Greenwich Revolving Trust bnicholas@kmlawgroup.com

James M. McClure

on behalf of Debtor Kirk A. Palladini jmcclure@bmzlaw.com slash@bmzlaw.com;calbright@bmzlaw.com

Lauren Moyer

on behalf of Creditor Fay Servicing LLC as Servicer for Wilmington : Savings Fund Society, FSB, not in its individual : capacity but solely as Owner Trustee of : CIM 2021-NR4 lmoyer@friedmanvartolo.com, bankruptcy@friedmanvartolo.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 6